

Attorney Docket No. 5051-458



AP/1633/11/a
Kawis
PATENTS
01-17-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Hanley-Bowdoin et al.

Group Art Unit: 1633

Serial No.: 09/289,346

Examiner: C. Drabik

Filed: 09 April 1999

For: *GEMINIVIRUS RESISTANT TRANSGENIC PLANTS*

January 8, 2001

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BOX NON-FEE AMENDMENT

Commissioner for Patents

Washington, DC 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is in response to the Office Communication of January 3, 2001.

In the Claims:

Please cancel claims 1-41 and 56-59, without prejudice to the filing of a divisional application thereon.

Please amend the claims as follows:

49 (amended). [A method according to claim 44,] A nucleic acid construct comprising an expression cassette, which construct comprises, in the 5' to 3' direction:

(a) a promoter operable in a plant cell,

(b) a nucleic acid sequence encoding a mutant AL1 protein, said nucleic acid sequence located downstream from said promoter and operatively associated therewith, and comprising a mutation in the Rb binding region, whereby binding of said mutant AL1 protein to a plant Rb protein is reduced compared to binding which would occur in the presence of a wild-type AL1 protein; and

(c) a termination sequence positioned downstream from said nucleic acid sequence and operatively associated therewith, where said nucleic acid sequence encodes a trans-dominant negative mutant AL1 protein, and wherein said nucleic acid sequence comprises a sequence selected from the group consisting of SEQ ID NO:2,